

GAU 1761 #5 Pre/E
9-13-98

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
DelDuca et al.

Serial No.: 09/094,008

Filed: June 9, 1998

For: MODIFIED ATMOSPHERE PACKAGE



Group Art Unit: 1761

Examiner: Unknown

Atty. Dkt. No.: PCOA673--1/BLM

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SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

CERTIFICATE OF MAILING 37 C.F.R 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
9-4-98	<i>Robert J. Gorman</i>
Date	Signature

Please amend the above-identified patent application as follows:

IN THE CLAIMS:

Please amend claims 16 and 25 as follows:

16. (Once Amended) A modified atmosphere package comprising first and second compartments separated by a partition member, said partition member including a non-barrier portion substantially permeable to oxygen, said first and second compartments being encompassed by an outer wall substantially impermeable to oxygen, said first compartment being substantially free of oxygen [solely] in response to substantially removing the oxygen from said pocket and introducing one or more gases creating a modified atmosphere within said first compartment [said first compartment being flushed with one or more gases creating a modified atmosphere within said first compartment], said first compartment containing an oxygen scavenger activated with an oxygen scavenger accelerator to substantially absorb residual oxygen within said first compartment [after said first compartment is flushed with said one or more gases], said second compartment containing a retail cut of raw meat.

25. (Once Amended) A method of manufacturing a modified atmosphere package having first and second compartments separated by a partition member, said partition member